



Ifw

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/755,396

Group Art Unit: 2834

Applicant: Meng-Chiu YU

Examiner: Dang D. Le

Filed: January 13, 2004

Attorney Docket: YUME3001/EM

Title: Wear-Premonitory Carbon
Brush Holder

Confirmation No.: 9953

RESPONSE**MAIL STOP AMENDMENT**Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is being submitted in response to the December 9, 2004, Office Action issued by the Examiner in the above-identified pending application.

Claims 1-17 are presently under consideration in this application. The Examiner indicated that claims 2-17 recite five (5) patentably distinct species of the claimed invention, as specified in paragraph 1 of the Office Action. The Examiner has also indicated claim 1 to be generic.

The Examiner has required Applicant under 35 USC 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

In response to this requirement, Applicant hereby elects the species designated as including a single tongue sensing unit with open switch recited by claims 2-5 and shown in corresponding Figs. 3-5 of the drawings. It is therefore requested that examination proceed on the merits with generic claim 1 and elected claims 2-5.

It is noted that, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims directed to the four (4) non-elected species which are written in independent form or otherwise include all of the limitations of the allowed generic claim.

Application No.: 10/755,396
Response dated: December 20, 2004
Reply to Office Action of: December 9, 2004

If the Examiner should have any questions concerning this election, the undersigned may be reached at his Alexandria, Virginia office at 703-683-0500.

Respectfully submitted,
BACON & THOMAS, PLLC



EUGENE MAR
Attorney for Applicant
Registration No. 25,893

Date: December 20, 2004

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Telephone: 703-683-0500
Facsimile: 703-683-1080

EM/jrs

S:\Producer\em\Clients\Brainwise Consultants Limited\YUME3001 response.wpd